

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA :

v. : Case No: CR-2-06-146

WENDELL CALLAHAM : JUDGE GRAHAM

RESPONSE OF THE UNITED STATES TO
DEFENDANT'S SENTENCING MEMORANDUM

The United States is in agreement with the defendant's guideline calculations as set forth in his memorandum. The government would recommend that the Court sentence the defendant within the advisory guideline range of 100 - 125 months. The government would submit that any sentence within this range would be reasonable.

In United States v. Williams, 436 F.3d 706, 708 (6th Cir. 2006), the Sixth Circuit stated: "We now join several sister circuits in crediting sentences properly calculated under the Guidelines with a rebuttable presumption of reasonableness." Therefore, the United States submits that a sentence within the advisory guideline range would be reasonable, after consideration of the 18 U.S.C. §3553(a) factors, under the rationale of United States v. Booker, 543 U.S. 220 (2005); United States v. Cage, 458 F.3d 537, 541 (6th Cir.2006); United States v. Williams, 436 F.3d 706 (6th Cir. 2006).

For all the foregoing reasons, the United States submits that a reasonable sentence would be one within the applicable sentencing guidelines range.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing response was sent via electronic filing to the attorney for the defendant, Gordon G. Hobson, on this 5th day of September 2008.

s/David M. DeVillers
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